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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,314	01/21/2004	Hiroki Yamamoto	03500.000047.	1541
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EXAMINER				
NEWAY, SAMUEL G				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/760,314

Applicant(s)

YAMAMOTO, HIROKI

Examiner

Samuel G. Neway

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,8,10-12 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,8,10-12 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This is responsive to the RCE filed on 12 May 2008.
2. Claims 2, 8, 10 – 12, and 22 are pending.

Response to Arguments

3. Applicant's arguments with respect to claims 2, 8, 10 – 12, and 22 have been considered but are moot in view of the new ground(s) of rejection.

Priority

4. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 2, 8, 10 – 12, and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Independent claims 2, 11, and 22 disclose creating a speech recognition dictionary if one is not obtained from a memory which retains a plurality of speech recognition dictionaries. The dictionary is created before detecting the start of a mail processing and reading a transmitted mail. It is unclear how the speech recognition

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dictionary, which is a mail creation dictionary since it is later deleted, can be created before and without the detection of a mail creation step and the reading of a transmitted mail. The disclosure teaches creating a dictionary for mail creation by first detecting the start of a mail processing and reading a transmitted mail. Then, words in the transmitted mail not found in a base dictionary are used to create the dictionary for mail creation. The Examiner will not give any patentable weight to "or, if not obtained, is created" in the independent claims in applying prior art.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2, 8, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (USPN 6,308,151) in view of Groner (USPN 6,507,643) and in further view of Murveit et al (USPN 6,766,295).

Claim 2:

Smith discloses a method for creating a speech recognition dictionary that is used for creating first document data through voice input in an application (Abstract), the method comprising the steps of:

receiving a transmitted mail from a transmission source (FIG. 4, step 52 and related text);

obtaining a speech recognition dictionary, the speech recognition dictionary containing a vocabulary (col. 6, lines 25-28).

Smith does not explicitly disclose obtaining the dictionary from a plurality of dictionaries depending on the source of the received mail.

In a speech recognition system for converting a caller's voice mail into a textual email, Groner discloses obtaining a dictionary (topic specific vocabulary) from a plurality of dictionaries depending on the source (caller) of the received mail ("select appropriate topic-specific vocabulary files, stored in the vocabulary data structure 130", Abstract. See also col.8, lines 64-67).

It would have been obvious to one with ordinary skill in the art at the time of the invention to have used a Groner's plurality of dictionaries in Smith's method in order to "to increase the accuracy of recognizing the text of the subsequent message" (Groner, col. 9, lines 1-2).

Smith further discloses detecting if a mail creation processing involving the transmitted mail is started (FIG. 4, step 52 and related text);

reading the transmitted mail when the mail creation processing is detected (FIG. 4, step 56 and related text);

analyzing the transmitted mail and extracting at least one unknown word therefrom that does not exist in the speech recognition dictionary (FIG. 4, step 58 and related text);

updating the speech recognition dictionary by adding thereto the at least one unknown word (FIG. 4, step 70 and related text);

and deleting the speech recognition dictionary when a specified period of time has elapsed ("Automated delaying schemes may comprise a fixed time delay following satisfactory dictation of a responsive E-mail", col. 6, lines 24-31).

However neither Smith nor Groner explicitly disclose the specified period of time being a specified time from time information indicating the dictionary update.

In a similar adaptive speech recognition method, Murveit discloses updating acoustic models that are specific to a particular speaker during multiple remote sessions between the speaker and the speech recognition system (col. 7, lines 23-29). Murveit also discloses deleting a speaker's acoustic model after a specified time from time information indicating a model update (col. 7, lines 45-52).

It would have been obvious to one with ordinary skill in the art at the time of the invention to delete Smith's dictionary update using Murveit known method of updating after a specified time from the time indicating the dictionary update to yield the predictable result of delaying the removal of the update.

Claim 8:

Smith, Groner, and Murveit disclose a method according to claim 2, Smith further discloses the steps of: detecting if the mail creation processing is completed; and deleting the speech recognition dictionary when the mail creation processing is completed (FIG. 4, step 78 and related text).

Claim 10:

Smith, Groner, and Murveit disclose a method according to claim 9, but they do not explicitly disclose wherein the time information indicates a date and a time when the

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speech recognition dictionary is updated ("predetermined period of time", col. 7, lines 48-51).

It would have been obvious to one with ordinary skill art in the computing arts to keep track of duration using a date and a time since that is how computers track time.

Allowable Subject Matter

9. Claims 11, 12, and 22 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

10. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record, individually or in combination, does not disclose storing registration time information for each of a plurality of unknown words and deleting each one of the plurality of unknown words when a specified period of time set for the each one of the plurality of unknown words has elapsed from the time indicated by the registration time information as claimed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel G. Neway whose telephone number is 571-270-1058. The examiner can normally be reached on Monday - Friday 8:30AM - 5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R Hudspeth can be reached on 571-272-7843. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David R Hudspeth/
Supervisory Patent Examiner, Art Unit 2626

/S. G. N./
Examiner, Art Unit 2626